

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated December 24, 2009, has been received and its contents carefully reviewed.

Claim 1 is hereby amended. No new matter has been added. Claims 2, 3, 6-8 and 15 have been canceled. Claims 4 and 5 have previously been canceled without prejudice to or disclaimer of the subject matter contained therein. Claims 9-14 have previously been withdrawn. New claims 16-26 have been added. Accordingly, claims 1, and 16-26 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

Claims 2, 6 and 15 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 2, 6 and 15 have been canceled, rendering rejection of these claims moot.

Claims 1-3, and 6-8 are rejected under 35 U.S.C. §103(a) as being anticipated by U.S. Patent No. 4,412,389 to Krüger (hereinafter “Krüger”) in view of U.S. Patent No. 5,682,684 to Wentzlaff (hereinafter “Wentzlaff”). *Office Action* at p. 3. Claims 2-3 and 6-8 have been canceled, rendering rejection of these claims moot. Applicant respectfully traverses the rejection of the remaining claims and requests reconsideration.

Independent claim 1 is allowable over the cited references in that claim 1 recites a combination of steps including, for example “initiating a drying procedure”, “measuring temperature,” **“calculating a plurality of temperature variation rates,” “detecting whether there is a substantial increase in the temperature variation rate with respect to the temperature variation rate of initiating the drying procedure,” “calculating a remaining drying time after the substantial increased is detected”** and “performing the drying procedure for the calculated remaining drying time.” Accordingly, an embodiment in accordance with the invention involves calculating a plurality of temperature variation rates and calculating a remaining drying time after a substantial increase in the temperature variation rate with respect to the temperature variation rate of the initial drying procedure (the given early phase of the drying

process) is detected. In other words, a remaining drying time is calculated after the given early phase of the drying process once a substantial increase in the temperature variation rate is detected. Krüger does not, alone or in combination, disclose or suggest at least these features of the claimed invention.

The Office alleges that Krüger discloses the claimed invention except for the claimed steps of calculating a plurality of temperature variation rates and determining whether there is a substantial increase in the temperature variation rate as a function of the plurality of temperature variation rates. *Office Action* at p. 4. However, the Applicant respectfully disagrees.

Instead, Krüger only discloses determining a single gradient of rising temperature in the drying system prior to the drying process and calculating a required operating time or duration. More specifically, Krüger discloses determining the temperature gradient existing between the drying system and the surrounding air before the beginning of the drying process. *See* Col. 2, ln. 36-40. Therefore, **Krüger merely discloses or suggests calculating a required operating time using the gradient of rising temperature between the drying system and the surrounding air prior to the drying process.** Thus, Krüger does not disclose or suggest all the features as recited in independent claim 1.

Wentzlaff does not cure the deficiencies of Krüger. The Office alleges that Wentzlaff discloses the steps of calculating a plurality of temperature variation rates and determining whether there is a substantial increase in the temperature variation rate as a function of the plurality of temperature variation rates. *Office Action* at p. 4. However, the Applicant respectfully disagrees.

Rather, Wentzlaff discloses that, at various callups, a fuzzy processor calculates the remaining drying time “on the basis of the variables available at the moment of the callup.” Wentzlaff discloses that these variables can include temperature differences. More specifically, Wentzlaff discloses that the temperature difference refers to the difference between the temperature at the transducer 4 in the waste air outlet 12 and at the transducer 2 in front of the inlet of the heating device 5. Thus, Wentzlaff actually discloses periodically measuring the

temperature different between different locations in the dryer. Further, Wentzlaff does not disclose or teach the moment of the callup is based on the temperature differences or the temperature variation rate. Accordingly, Wentzlaff only discloses calculating the temperature differences between transducers which are different from each other at each moment of the callups.

Thus, neither Krüger nor Wentzlaff disclose or suggest “**calculating a plurality of temperature variation rates,**” “**detecting whether there is a substantial increase in the temperature variation rate with respect to the temperature variation rate of initiating the drying procedure,**” “**calculating a remaining drying time after the substantial increased is detected**”. Accordingly, claim 1 is patentable over the cited references.

New Claims 16-21 depend from and add further features to independent claim 1. For the same or similar reasons as discussed above regarding claim 1, claims 16-26 are patentable over the cited references. Therefore, reconsideration and withdrawal of the 103(a) rejection and allowance of claims 1, and 16-21 are respectfully requested.

Similar to claim 1, new independent claim 22 recites a combination of steps including, for example, “initiating a drying procedure”, “measuring temperature,” “**calculating a plurality of temperature variation rates,**” “**detecting whether there is a substantial increase in the temperature variation rate with respect to the temperature variation rate of initiating the drying procedure,**” “**calculating a remaining drying time after the substantial increased is detected**” and “performing the drying procedure for the calculated remaining drying time.” Krüger does not, alone or in combination with Wentzlaff, disclose or suggest at least these features of claim 22.

For the same or similar reasons as discussed above regarding claim 1, Applicant respectfully asserts that neither Krüger nor Wentzlaff disclose or suggest at least the above features of claim 22, and respectfully submits that independent claim 22 is patentable over Krüger in view of Wentzlaff. Claims 23-26 depend from and add further features to independent claim 22, and are also patentable for at least the same reasons.

Claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over Krüger in view of Wentzlaff in further view of U.S. Patent No. 3,363,326 to Weeks (hereinafter “Weeks”). *Office Action* at p. 5. Claim 15 has been canceled, rendering rejection of this claim moot.

CONCLUSION

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Respectfully submitted,

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